



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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MARK AYOTTE, KEN MAUER, and JASON  
PHILLIPS,

Plaintiffs,

- against -

THE NATIONAL BASKETBALL  
ASSOCIATION and NBA SERVICES CORP.,

Defendants.  
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22-CV-9666 (VSB) (RWL)

**ORDER**

**ROBERT W. LEHRBURGER, United States Magistrate Judge.**

This order resolves the letter motion filed by Plaintiffs at Dkt. 49, and opposed by Defendant at Dkt. 50, requesting that (1) Defendant be required to implement Plaintiff's June 5, 2023 proposed search, and (2) Defendant produce documents by June 19, 2023. Having considered the parties' respective arguments as well as the factors relevant to determining the proportionality of discovery sought, the Court orders as follows:

Defendants shall implement the 177 terms they proposed as well as the 39 additional terms proposed by Plaintiff on June 5, 2023, except that (1) Defendant need not implement terms 33, 34, and 35, and (2) as to terms 1-32 and 35-39, Defendant need not include the "OR medical" connector.

Plaintiff's request for production by June 16, 2023 is denied. The parties shall meet and confer and propose a revised schedule to the Court by June 23, 2023.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'R. Lehrburger', with a long horizontal flourish extending to the right.

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ROBERT W. LEHRBURGER  
UNITED STATES MAGISTRATE JUDGE

Dated: June 16, 2023  
New York, New York

Copies transmitted this date to all counsel of record.